

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**IN RE: NATIONAL PRESCRIPTION  
OPIATE LITIGATION**

This document relates to:  
*The County of Lake, Ohio, et al. v.*  
*CVS Health Corporation, et al.,*  
Case No. 18-op-45032

MDL No. 2804

Case No. 1:17-md-2804

Hon. Dan Aaron Polster

**RITE AID DEFENDANTS' ANSWER TO  
COUNTY OF LAKE'S SECOND AMENDED COMPLAINT**

Defendants Rite Aid of Maryland, Inc. d/b/a Mid-Atlantic Customer Support Center ("Rite Aid of Maryland, Inc."), Rite Aid Hdqtrs. Corp., Eckerd Corporation d/b/a Rite Aid Liverpool Distribution Center ("Eckerd Corporation"), and Rite Aid of Ohio, Inc. (sometimes collectively referred to as, "Rite Aid") by and through counsel, hereby answer Plaintiff the County of Lake, Ohio's ("Plaintiff") operative Complaint<sup>1</sup> in accordance with the numbered paragraphs thereof.<sup>2</sup>

**GENERAL DENIAL AND PRELIMINARY STATEMENT**

Rite Aid incorporates the following matters into the responses to each paragraph of the Complaint.

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<sup>1</sup> As of this filing, Plaintiff's operative complaint is the Supplemental and Amended Allegations to be Added to Short Form for Supplementing Complaint "Second Amended Complaint" filed on June 5, 2020.

<sup>2</sup> Rite Aid Corporation is named as a defendant in the operative complaint. Rite Aid Corporation has filed a motion to dismiss for lack of jurisdiction pursuant to Fed. R. Civ. P. 12(b)(2), and therefore Rite Aid Corporation is not required to file an answer at this time. Fed. R. Civ. P. 12(a)(4).

A. Rite Aid submits this Answer only on behalf of itself. Where allegations are made against “Defendants” or “Chain Pharmacies” as a group, however described, Rite Aid’s responses only apply to it.

B. The Complaint contains purported references to several documents and third-party publications and statements that have often been excerpted, paraphrased, characterized, and otherwise taken out of context. These third-party publications and statements should be considered, if at all, in context and in unmodified form, and Rite Aid hereby respectfully refers the Court to the respective third-party publications and statements for their complete contents.

C. Except as expressly stated herein, Rite Aid expressly denies each and every allegation contained in the Complaint, including without limitation any allegations contained in the numbered and unnumbered paragraphs, subparagraphs, headings, subheadings, footnotes, and exhibits of the Complaint, and specifically denies any liability to Plaintiff. To the extent that the titles, headings, subheadings, paragraphs, and footnotes of the Complaint are intended to be allegations directed to Rite Aid, they are denied.

D. Rite Aid reserves the right to seek to amend and supplement its Answer as may be appropriate or necessary.

#### **ANSWER TO THE SPECIFIC ALLEGATIONS CONTAINED IN COMPLAINT**

1. It is admitted only that Plaintiff brings this action against the parties named of Paragraph No. 1. Rite Aid denies all other allegations of Paragraph No. 1. Insofar as the remaining

allegations if Paragraph No. 1 pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations and denies the allegations.<sup>3</sup>

2. Rite Aid admits only that abuse of and addiction to opioids is a serious public health issue, but denies any liability for the alleged misuse, abuse, or over-prescription of opioids. Rite Aid is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations of Paragraph No. 2 of the Complaint and such allegations are therefore denied.

3. Rite Aid denies the allegations of Paragraph No. 3. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations, and therefore denies the allegations.

4. Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph No. 4, and therefore denies the allegations.

5. Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph No. 5, and therefore denies the allegations.

6. Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph No. 6, and therefore denies the allegations.

7. Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph No. 7, and therefore denies the allegations.

8. Rite Aid admits only that on October 27, 2017 the President declared the opioid epidemic a national emergency. Rite Aid lacks knowledge or information sufficient to form a

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<sup>3</sup> Pursuant to Section C of the Track Three Case Management Order, Docket Nos. 3325 & 3329, and with the Special Master's approval, the parties have agreed that (1) the Pharmacy Defendants will answer the June 5 amended complaints filed by the Track Three Plaintiffs (Docket Nos. 3326 and 3327); (2) the Pharmacy Defendants will not answer the prior complaints filed by the Track Three Plaintiffs; and (3) by not answering those prior complaints, the Pharmacy Defendants do not admit any of the allegations in those complaints or risk a default judgment with respect to any claims in those complaints.

belief as to the truth of the remaining allegations of Paragraph No. 8, and therefore denies the allegations.

9. Rite Aid denies the allegations of Paragraph No. 9. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations, and therefore denies the allegations.

10. Rite Aid denies the allegations of Paragraph No. 10. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations, and therefore denies the allegations

11. Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph No. 11, and therefore denies the allegations.

12. Rite Aid admits that individuals have suffered from opioid abuse and addiction. Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations of Paragraph No. 12, and therefore denies the allegations.

13. Rite Aid admits that the abuse of and addiction to opioids is a serious public health issue, but denies any liability for the alleged misuse, abuse, or over-prescription of opioids. Rite Aid denies the remaining allegations of Paragraph No. 13. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations, and therefore denies the allegations.

14. Rite Aid denies the allegations of Paragraph No. 14. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations, and therefore denies the allegations.

15. Rite Aid denies the allegations of Paragraph No. 15. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations, and therefore denies the allegations.

16. Rite Aid denies the allegations of Paragraph No. 16. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations, and therefore denies the allegations.

17. Rite Aid denies the allegations of Paragraph No. 17. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations, and therefore denies the allegations.

18. Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph No. 18, and therefore denies the allegations.

19. Rite Aid admits only that Plaintiff brings this suit against Rite Aid and other defendants based on their distribution and dispensing of opioids. Rite Aid denies the remaining allegations of Paragraph No. 19. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations, and therefore denies the allegations.

#### **JURISDICTION AND VENUE**

20. The allegations of Paragraph No. 20 are conclusions of law to which no response is required. To the extent a response is required, Rite Aid denies the allegations.

21. The allegations of Paragraph No. 21 are conclusions of law to which no response is required. To the extent a response is required, Rite Aid denies the allegations. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations, and therefore denies the allegations.

22. The allegations of Paragraph No. 22 are conclusions of law to which no response is required. To the extent a response is required, Rite Aid denies the allegations. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations, and therefore denies the allegations.

### **PARTIES**

23. Rite Aid admits only that the County of Lake is organized under the laws of the State of Ohio, is listed in the case caption as a party plaintiff, and purports to bring the claims identified in the complaint. Rite Aid denies that County of Lake is a proper plaintiff in this action. Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations of Paragraph No. 23, and therefore denies the allegations.

24. The allegations of Paragraph No. 24 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

25. The allegations of Paragraph No. 25 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

26. The allegations of Paragraph No. 26 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

27. The allegations of Paragraph No. 27 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

28. The allegations of Paragraph No. 28 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

29. The allegations of Paragraph No. 29 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

30. The allegations of Paragraph No. 30 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

31. The allegations of Paragraph No. 31 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

32. The allegations of Paragraph No. 32 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or

information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

33. The allegations of Paragraph No. 33 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

34. The allegations of Paragraph No. 34 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

35. The allegations of Paragraph No. 35 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

36. The allegations of Paragraph No. 36 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

37. The allegations of Paragraph No. 37 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.



38. The allegations of Paragraph No. 38 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

39. The allegations of Paragraph No. 39 are directed to other defendants and therefore no response is required.

40. Rite Aid Corporation has filed a motion to dismiss for lack of personal jurisdiction and therefore no answer is required at this time.

41. Rite Aid Hdqtrs. Corp. admits that Rite Aid Hdqtrs. Corp. is a Delaware Corporation with its principal office located in Camp Hill, Pennsylvania. Rite Aid Hdqtrs. Corp. denies the remaining allegations of Paragraph No. 41.

42. Rite Aid of Maryland, Inc. admits the allegations of Paragraph No. 42.

43. Eckerd Corporation admits that Eckerd Corporation is a subsidiary of Rite Aid Corporation and is a Delaware corporation based in Camp Hill, Pennsylvania. Eckerd Corporation and Rite Aid of Maryland, Inc. deny the remaining allegations of Paragraph No. 43.

44. Rite Aid of Ohio, Inc. admits that Rite Aid of Ohio, Inc. owned and operated retail Rite Aid pharmacies in Ohio, including in Lake County. Rite Aid of Ohio, Inc. further admits that at certain times it ordered Schedule III controlled substances from Rite Aid of Maryland, Inc. and Eckerd Corporation. Rite Aid of Ohio, Inc., Rite Aid of Maryland, Inc., and Eckerd Corporation deny the remaining allegations of Paragraph No. 44.

45. Rite Aid Hdqtrs. Corp., Rite Aid of Maryland, Inc., Eckerd Corporation, and Rite Aid of Ohio, Inc. admit only that Plaintiff refers to Rite Aid Corporation, Rite Aid Hdqtrs. Corp., Rite Aid of Maryland, Inc., d/b/a Rite Aid Mid-Atlantic Customer Support Center, Inc., Eckerd

Corporation d/b/a Rite Aid Liverpool Distribution Center, and Rite Aid of Ohio, Inc. collectively as “Rite Aid” in its Complaint. Rite Aid Hdqtrs. Corp., Rite Aid of Ohio, Inc., Rite Aid of Maryland, Inc., and Eckerd Corporation deny that it is proper to refer to separate and independent corporations collectively as “Rite Aid” in this manner, and deny that Rite Aid entities can be held liable for the conduct of other, independent corporations. Rite Aid Corporation has filed a motion to dismiss for lack of personal jurisdiction and therefore no answer is required at this time.

46. Rite Aid of Maryland, Inc. and Eckerd Corporation admit that they are licensed wholesale distributors. Rite Aid of Ohio, Inc. admits that Rite Aid of Ohio, Inc. operated retail Rite Aid pharmacies in Ohio, including in Lake County, that sell prescription medicines.

47. Rite Aid of Maryland, Inc. denies the allegations of Paragraph No. 47.

48. The allegations of Paragraph No. 48 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

49. The allegations of Paragraph No. 49 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

50. The allegations of Paragraph No. 50 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

51. The allegations of Paragraph No. 51 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

52. The allegations of Paragraph No. 52 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

53. The allegations of Paragraph No. 53 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

54. The allegations of Paragraph No. 54 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

55. The allegations of Paragraph No. 55 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

56. The allegations of Paragraph No. 56 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or

information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

57. The allegations of Paragraph No. 57 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

58. Rite Aid Hdqtrs. Corp., Rite Aid of Maryland, Inc., Eckerd Corporation, and Rite Aid of Ohio, Inc. admit that Plaintiff refers to CVS, Rite Aid, Walgreens, Walmart, and Giant Eagle as “Chain Pharmacies.” Rite Aid Hdqtrs. Corp., Rite Aid of Maryland, Inc., Eckerd Corporation, and Rite Aid of Ohio, Inc. deny that the Rite Aid entities named in the Complaint are “chain pharmacies,” and deny that it is proper to refer to separate and independent entities as “chain pharmacies” in this manner. Rite Aid Hdqtrs. Corp., Rite Aid of Maryland, Inc., Eckerd Corporation, and Rite Aid of Ohio, Inc. deny the allegations of Paragraph No. 58 to the extent they impute the behavior of other defendants to Rite Aid.

59. Rite Aid Hdqtrs. Corp., Rite Aid of Maryland, Inc., Eckerd Corporation, and Rite Aid of Ohio, Inc. deny the allegations of Paragraph No. 59 including that it is liable for the conduct of unidentified “predecessors, successors, affiliates, subsidiaries, partnerships, and divisions.” To the extent these allegations pertain to other defendants, Rite Aid Hdqtrs. Corp., Rite Aid of Maryland, Inc., Eckerd Corporation, and Rite Aid of Ohio, Inc. lack knowledge or information sufficient to form a belief as to the truth of the allegations, and therefore deny the allegations.

60. Rite Aid denies the allegations of Paragraph No. 60. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations, and therefore denies the allegations.

61. Rite Aid denies the allegations of Paragraph No. 61. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations, and therefore denies the allegations.

**FACTUAL ALLEGATIONS**

62. Rite Aid admits that opioids are generally used to treat pain and they produce multiple effects on the human body. Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations of Paragraph No. 62, and therefore denies the allegations.

63. Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph No. 63, and therefore denies the allegations.

64. Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph No. 64, and therefore denies the allegations.

65. Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph No. 65, and therefore denies the allegations.

66. Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph No. 66, and therefore denies the allegations.

67. Rite Aid admits that some opioids are classified as Schedule II under the Controlled Substances Act. Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations of Paragraph No. 67, and therefore denies the allegations.

68. Rite Aid admits that the strength of opioids can be measured in MMEs. Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations of Paragraph No. 68, and therefore denies the allegations.

69. Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph No. 69, and therefore denies the allegations.

70. Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph No. 70, and therefore denies the allegations

71. The allegations of Paragraph No. 71 are conclusions of law to which no response is required. To the extent a response is required, Rite Aid denies the allegations of Paragraph No. 71. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations, and therefore denies the allegations.

72. The allegations of Paragraph No. 72 are conclusions of law to which no response is required. To the extent a response is required, Rite Aid denies the allegations of Paragraph No. 72. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations, and therefore denies the allegations.

73. The allegations of Paragraph No. 73 are conclusions of law to which no response is required. To the extent a response is required, Rite Aid denies the allegations of Paragraph No. 73. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations, and therefore denies the allegations.

74. Rite Aid denies the allegations of Paragraph No. 74. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations, and therefore denies the allegations.

75. Rite Aid denies that it does business “across the United States.” Rite Aid entities operate retail pharmacies in some states. Rite Aid pharmacies dispense prescription medications including opioids. Rite Aid denies that Rite Aid entities distribute prescription opioids. To the extent the allegations of Paragraph No. 75 pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations, and therefore denies the allegations.

76. Rite Aid denies the allegations of Paragraph No. 76, except that Rite Aid of Maryland, Inc. and Eckerd Corporation admit that Rite Aid of Maryland, Inc. and Eckerd Corporation distribution centers distributed hydrocodone combination products when those products were classified as Schedule III under the Controlled Substance Act, and that Rite Aid of Ohio, Inc. pharmacies have dispensed prescription opioids classified as Schedule II and Schedule III under the Controlled Substances Act. To the extent the allegations in this paragraph are based on information within the ARCOS data, Rite Aid denies any characterization of that information. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations, and therefore denies the allegations.

77. The allegations of Paragraph No. 77 are conclusions of law to which no response is required. To the extent a response is required, Rite Aid admits that Rite Aid entities maintain data on opioids they have distributed or dispensed, and denies the remaining allegations of Paragraph No. 77. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations, and therefore denies the allegations.

78. Rite Aid denies the allegations of Paragraph No. 78. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations, and therefore denies the allegations.

79. The allegations of Paragraph No. 79 are conclusions of law to which no response is required. To the extent a response is required, Rite Aid denies the allegations of Paragraph No. 79. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations, and therefore denies the allegations.

80. Rite Aid denies the allegations of Paragraph No. 80. To the extent these allegations pertain to other defendants, or to other entities not named in the Complaint, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations, and therefore denies the allegations.

81. Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations in the two sentences of Paragraph No. 81, and therefore denies the allegations. Rite Aid denies the remaining allegations of Paragraph No. 80. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations, and therefore denies the allegations.

82. Rite Aid denies the allegations Paragraph No. 82. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations, and therefore denies the allegations.

83. Rite Aid denies the allegations Paragraph No. 83. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations, and therefore denies the allegations.



84. Rite Aid denies the allegations Paragraph No. 84. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations, and therefore denies the allegations.

85. Rite Aid denies the allegations Paragraph No. 85. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations, and therefore denies the allegations.

86. The allegations of Paragraph No. 86 are conclusions of law to which no response is required. To the extent a response is required, Rite Aid denies the allegations of Paragraph No. 85. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations, and therefore denies the allegations.

87. The allegations of Paragraph No. 87 are conclusions of law to which no response is required. To the extent a response is required, Rite Aid denies the allegations of Paragraph No. 87. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations, and therefore denies the allegations.

88. The allegations of Paragraph No. 88 are conclusions of law to which no response is required. To the extent a response is required, Rite Aid denies the allegations of Paragraph No. 88. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations, and therefore denies the allegations.

89. The allegations of Paragraph No. 88 are conclusions of law to which no response is required. To the extent a response is required, Rite Aid denies the allegations of Paragraph

No. 89. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations, and therefore denies the allegations.

90. The allegations of Paragraph No. 90 are conclusions of law to which no response is required. To the extent a response is required, Rite Aid denies the allegations of Paragraph No. 90. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations, and therefore denies the allegations.

91. The allegations of Paragraph No. 91 are conclusions of law to which no response is required. To the extent a response is required, Rite Aid denies the allegations of Paragraph No. 91. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations, and therefore denies the allegations.

92. The allegations of Paragraph No. 92 are conclusions of law to which no response is required. To the extent a response is required, Rite Aid denies the allegations including any inference of wrongdoing. By way of further response, Rite Aid denies any characterization of referenced regulations. With respect to the final sentence of Paragraph No. 92, Rite Aid admits that the quoted sentence appears in the letter referenced in footnote 10, but denies any characterization of the letter. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations, and therefore denies the allegations.

93. The allegations of Paragraph No. 93 are conclusions of law to which no response is required. To the extent a response is required, Rite Aid denies the allegations of Paragraph

No. 93. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations, and therefore denies the allegations.

94. The allegations of Paragraph No. 94 are conclusions of law to which no response is required. To the extent a response is required, Rite Aid denies the allegations of Paragraph No. 93. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations, and therefore denies the allegations.

95. The allegations of Paragraph No. 95 are conclusions of law to which no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph No. 95 because no “applicable state laws” are cited or referenced. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations, and therefore denies the allegations.

96. The allegations of Paragraph No. 96 are conclusions of law to which no response is required. To the extent a response is required, Rite Aid denies the allegations of Paragraph No. 96. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations, and therefore denies the allegations.

97. The allegations of Paragraph No. 97 are conclusions of law to which no response is required. To the extent a response is required, Rite Aid denies the allegations of Paragraph No. 96. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or

information sufficient to form a belief as to the truth of the allegations, and therefore denies the allegations.

98. The allegations of Paragraph No. 98 are conclusions of law to which no response is required. To the extent a response is required, Rite Aid denies the allegations of Paragraph No. 97. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations, and therefore denies the allegations.

99. The allegations of Paragraph No. 99 are conclusions of law to which no response is required. To the extent a response is required, Rite Aid denies the allegations of Paragraph No. 99. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations, and therefore denies the allegations.

100. Rite Aid admits that Paragraph No. 100 purports to characterize testimony given by a witness in the national opiate multi-district litigation (“MDL”). Rite Aid denies any characterization of that testimony. Rite Aid denies the remaining allegations of Paragraph No. 100.

101. The allegations of Paragraph No. 101 are conclusions of law to which no response is required. To the extent a response is required, Rite Aid denies the allegations of Paragraph No. 101. By further response, any characterizations of the *Masters Pharms.* decision by Plaintiff are denied. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations, and therefore denies the allegations.

102. The allegations of Paragraph No. 102 are conclusions of law to which no response is required. To the extent a response is required, Rite Aid denies the allegations of Paragraph No. 102. By further response, any characterizations of the *Masters Pharms.* decision by Plaintiff are denied. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations, and therefore denies the allegations.

103. Rite Aid denies the allegations of Paragraph No. 103.

104. The allegations of Paragraph No. 104 are conclusions of law to which no response is required. To the extent a response is required, Rite Aid denies the allegations of Paragraph No. 104. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations, and therefore denies the allegations.

105. Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph No. 105, and therefore denies the allegations. To the extent these allegations reference documents, Rite Aid denies any characterization of those documents

106. It is admitted only that Plaintiff refers to Rite Aid as a “National Retail Pharmacy” in its Complaint. Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations of Paragraph No. 106, and therefore denies the allegations. To the extent these allegations reference documents, Rite Aid denies any characterization of those documents. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations, and therefore denies the allegations.

107. The allegations of Paragraph No. 107 are conclusions of law to which no response is required. To the extent a response is required, Rite Aid denies the allegations of Paragraph No. 107. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations, and therefore denies the allegations.

108. The allegations of Paragraph No. 108 are conclusions of law to which no response is required. To the extent a response is required, Rite Aid denies the allegations of Paragraph No. 108. By further response, any characterizations of the *Southwood Pharm.* decision by Plaintiff are denied. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations, and therefore denies the allegations.

109. The allegations of Paragraph No. 109 are conclusions of law to which no response is required. To the extent a response is required, Rite Aid denies the allegations of Paragraph No. 109. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations, and therefore denies the allegations.

110. The allegations of Paragraph No. 110 are conclusions of law to which no response is required. To the extent a response is required, Rite Aid denies the allegations of Paragraph No. 109.

111. The allegations of Paragraph No. 111 are conclusions of law to which no response is required. To the extent a response is required, Rite Aid denies the allegations of Paragraph No. 111. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or

information sufficient to form a belief as to the truth of the allegations, and therefore denies the allegations.

112. The allegations of Paragraph No. 112 are conclusions of law to which no response is required. To the extent a response is required, Rite Aid denies the allegations of Paragraph No. 112. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations, and therefore denies the allegations.

113. The allegations of Paragraph No. 113 are conclusions of law to which no response is required. To the extent a response is required, Rite Aid denies the allegations of Paragraph No. 113. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations, and therefore denies the allegations.

114. The allegations of Paragraph No. 114 are conclusions of law to which no response is required. To the extent a response is required, Rite Aid denies the allegations of Paragraph No. 114. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations, and therefore denies the allegations.

115. Rite Aid denies the allegations of Paragraph No. 115. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations, and therefore denies the allegations.

116. Rite Aid denies the allegations of Paragraph No. 116. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations, and therefore denies the allegations.

117. Rite Aid admits that Paragraph No. 117 purports to characterize testimony given by a witness in the MDL. Rite Aid denies any characterization of that testimony. Rite Aid denies the remaining allegations of Paragraph No. 117. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations, and therefore denies the allegations.

118. The allegations of Paragraph No. 118 are conclusions of law to which no response is required. To the extent a response is required, Rite Aid denies the allegations of Paragraph No. 118. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations, and therefore denies the allegations.

119. Rite Aid admits that Paragraph No. 119 purports to characterize testimony given by a witness in the MDL. Rite Aid denies any characterization of that testimony. Rite Aid denies the remaining allegations of Paragraph No. 119. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations, and therefore denies the allegations.

120. The allegations of Paragraph No. 120 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

121. Rite Aid Hdqtrs. Corp. admits that Rite Aid Hdqtrs. Corp. is a member of the NACDS and that Rite Aid Hdqtrs. Corp. employees or officers have served on the NACDS Board. Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations of Paragraph No. 121, and therefore denies the allegations.



122. Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph No. 122, and therefore denies the allegations.

123. Rite Aid Hdqtrs. Corp. admits that it is a member of NACDS. Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations of Paragraph No. 123, and therefore denies the allegations.

124. Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph No. 124, and therefore denies the allegations.

125. Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations of Paragraph No. 125, and therefore denies the allegations.

126. Rite Aid Hdqtrs. Corp. admits that it is a member of NACDS. Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations of Paragraph No. 126, and therefore denies the allegations.

127. Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph No. 127, and therefore denies the allegations. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations, and therefore denies the allegations.

128. Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph No. 128, and therefore denies the allegations.

129. Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph No. 129, and therefore denies the allegations.

130. Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph No. 130, and therefore denies the allegations.

131. Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph No. 131, and therefore denies the allegations.

132. Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph No. 132, and therefore denies the allegations.

133. Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph No. 133, and therefore denies the allegations.

134. Rite Aid Hdqtrs. Corp., Rite Aid of Maryland, Inc., and Eckerd Corporation admit that the DEA sent a letter to certain registrants on September 27, 2006 and that the letter contains the cited language. Rite Aid denies any characterizations of the referenced letter. Rite Aid denies the remaining allegations of Paragraph No. 134. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations, and therefore denies the allegations.

135. Rite Aid Hdqtrs. Corp., Rite Aid of Maryland, Inc., and Eckerd Corporation admit that the DEA sent a letter to certain registrants on September 27, 2006 and that the letter contains the cited language. Rite Aid denies any characterizations of the referenced letter. Rite Aid denies the remaining allegations of Paragraph No. 135.

136. Rite Aid Hdqtrs. Corp., Rite Aid of Maryland, Inc., and Eckerd Corporation admit that the DEA sent a letter to certain registrants on December 27, 2007 and that the letter contains the cited language. Rite Aid denies any characterizations of the referenced letter. Rite Aid denies the remaining allegations of Paragraph No. 136.

137. Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph No. 137, and therefore denies the allegations.

138. Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph No. 138, and therefore denies the allegations.

139. Rite Aid denies the allegations of Paragraph No. 139. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations, and therefore denies the allegations.

140. The allegations of Paragraph No. 140 are conclusions of law to which no response is required. To the extent a response is required, Rite Aid denies the allegations of Paragraph No. 140. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations, and therefore denies the allegations.

141. Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph No. 141, and therefore denies the allegations.

142. Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph No. 142, and therefore denies the allegations.

143. The allegations of Paragraph No. 143 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

144. The allegations of Paragraph No. 144 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

145. The allegations of Paragraph No. 145 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

146. Rite Aid Hdqtrs. Corp., Rite Aid of Maryland, Inc., Eckerd Corporation, and Rite Aid of Ohio, Inc. deny the allegations of Paragraph No. 146. To the extent these allegations pertain to other defendants, Rite Aid Hdqtrs. Corp., Rite Aid of Maryland, Inc., Eckerd Corporation, and Rite Aid of Ohio, Inc. lack knowledge or information sufficient to form a belief as to the truth of the allegations, and therefore denies the allegations.

147. Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph No. 147, and therefore denies the allegations.

148. Rite Aid Hdqtrs. Corp. admits that it is a member of NACDS. Rite Aid Hdqtrs. Corp., Rite Aid of Maryland, Inc., Eckerd Corporation, and Rite Aid of Ohio, Inc. lack knowledge or information sufficient to form a belief as to the truth of the remaining allegations of Paragraph No. 148, and therefore deny the allegations. To the extent these allegations pertain to other defendants, Rite Aid Hdqtrs. Corp., Rite Aid of Maryland, Inc., Eckerd Corporation, and Rite Aid of Ohio, Inc. lack knowledge or information sufficient to form a belief as to the truth of the allegations, and therefore deny the allegations.

149. Rite Aid Hdqtrs. Corp. and Rite Aid of Ohio, Inc. admit that they possess certain data regarding prescriptions Rite Aid of Ohio, Inc. has dispensed. Rite Aid denies the remaining allegations of Paragraph No. 149. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations, and therefore denies the allegations.

150. The allegations of Paragraph No. 150 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

151. The allegations of Paragraph No. 151 are conclusions of law to which no response is required. To the extent a response is required, Rite Aid denies the allegations of Paragraph No. 151. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations, and therefore denies the allegations.

152. The allegations of Paragraph No. 152 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

153. The allegations of Paragraph No. 153 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

154. Rite Aid denies the allegations of Paragraph No. 154. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations, and therefore denies the allegations.

155. Rite Aid denies the allegations of Paragraph No. 155.

156. The allegations of Paragraph No. 156 are conclusions of law to which no response is required. To the extent a response is required, Rite Aid denies the allegations of Paragraph

No. 156. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations, and therefore denies the allegations.

157. The allegations of Paragraph No. 157 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

158. The allegations of Paragraph No. 158 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

159. The allegations of Paragraph No. 159 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

160. The allegations of Paragraph No. 160 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

161. The allegations of Paragraph No. 161 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

162. The allegations of Paragraph No. 162 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

163. The allegations of Paragraph No. 163 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

164. The allegations of Paragraph No. 164 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

165. The allegations of Paragraph No. 165 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

166. The allegations of Paragraph No. 166 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

167. The allegations of Paragraph No. 167 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or

information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

168. The allegations of Paragraph No. 168 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

169. The allegations of Paragraph No. 169 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

170. The allegations of Paragraph No. 170 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

171. The allegations of Paragraph No. 171 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

172. The allegations of Paragraph No. 172 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.



173. The allegations of Paragraph No. 173 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

174. The allegations of Paragraph No. 174 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

175. The allegations of Paragraph No. 175 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

176. The allegations of Paragraph No. 176 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

177. The allegations of Paragraph No. 177 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

178. The allegations of Paragraph No. 178 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or

information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

179. The allegations of Paragraph No. 179 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

180. The allegations of Paragraph No. 180 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

181. The allegations of Paragraph No. 181 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

182. The allegations of Paragraph No. 182 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

183. The allegations of Paragraph No. 183 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

184. The allegations of Paragraph No. 184 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

185. The allegations of Paragraph No. 185 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

186. The allegations of Paragraph No. 186 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

187. The allegations of Paragraph No. 187 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

188. The allegations of Paragraph No. 188 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

189. The allegations of Paragraph No. 189 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or

information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

190. The allegations of Paragraph No. 190 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

191. The allegations of Paragraph No. 191 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

192. The allegations of Paragraph No. 192 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

193. The allegations of Paragraph No. 193 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

194. The allegations of Paragraph No. 194 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

195. The allegations of Paragraph No. 195 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

196. The allegations of Paragraph No. 196 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

197. The allegations of Paragraph No. 197 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

198. The allegations of Paragraph No. 198 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

199. The allegations of Paragraph No. 199 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

200. The allegations of Paragraph No. 200 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or

information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

201. The allegations of Paragraph No. 201 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

202. The allegations of Paragraph No. 202 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

203. The allegations of Paragraph No. 203 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

204. The allegations of Paragraph No. 204 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

205. The allegations of Paragraph No. 205 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

206. The allegations of Paragraph No. 206 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

207. The allegations of Paragraph No. 207 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

208. The allegations of Paragraph No. 208 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

209. The allegations of Paragraph No. 209 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

210. The allegations of Paragraph No. 210 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

211. The allegations of Paragraph No. 211 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or

information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

212. The allegations of Paragraph No. 212 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

213. The allegations of Paragraph No. 213 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

214. The allegations of Paragraph No. 214 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

215. The allegations of Paragraph No. 215 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

216. The allegations of Paragraph No. 216 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.



217. The allegations of Paragraph No. 217 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

218. The allegations of Paragraph No. 218 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

219. The allegations of Paragraph No. 219 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

220. The allegations of Paragraph No. 220 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

221. The allegations of Paragraph No. 221 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

222. The allegations of Paragraph No. 222 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or

information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

223. The allegations of Paragraph No. 223 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

224. The allegations of Paragraph No. 224 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

225. The allegations of Paragraph No. 225 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

226. The allegations of Paragraph No. 226 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

227. The allegations of Paragraph No. 227 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

228. The allegations of Paragraph No. 228 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

229. The allegations of Paragraph No. 229 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

230. The allegations of Paragraph No. 230 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

231. The allegations of Paragraph No. 231 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

232. The allegations of Paragraph No. 232 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

233. The allegations of Paragraph No. 233 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or

information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

234. The allegations of Paragraph No. 234 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

235. The allegations of Paragraph No. 235 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

236. The allegations of Paragraph No. 236 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

237. The allegations of Paragraph No. 237 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

238. The allegations of Paragraph No. 238 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

239. The allegations of Paragraph No. 239 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

240. The allegations of Paragraph No. 240 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

241. The allegations of Paragraph No. 241 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

242. The allegations of Paragraph No. 242 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

243. The allegations of Paragraph No. 243 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

244. The allegations of Paragraph No. 244 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or

information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

245. The allegations of Paragraph No. 245 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

246. The allegations of Paragraph No. 246 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

247. The allegations of Paragraph No. 247 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

248. The allegations of Paragraph No. 248 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

249. The allegations of Paragraph No. 249 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

250. The allegations of Paragraph No. 250 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

251. The allegations of Paragraph No. 251 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

252. The allegations of Paragraph No. 252 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

253. The allegations of Paragraph No. 253 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

254. The allegations of Paragraph No. 254 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

255. The allegations of Paragraph No. 255 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or

information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

256. The allegations of Paragraph No. 256 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

257. The allegations of Paragraph No. 257 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

258. The allegations of Paragraph No. 258 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

259. The allegations of Paragraph No. 259 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

260. The allegations of Paragraph No. 260 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.



261. The allegations of Paragraph No. 261 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

262. The allegations of Paragraph No. 262 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

263. The allegations of Paragraph No. 263 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

264. The allegations of Paragraph No. 264 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

265. The allegations of Paragraph No. 265 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

266. The allegations of Paragraph No. 266 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or

information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

267. The allegations of Paragraph No. 267 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

268. The allegations of Paragraph No. 268 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

269. The allegations of Paragraph No. 269 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

270. The allegations of Paragraph No. 270 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

271. The allegations of Paragraph No. 271 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

272. The allegations of Paragraph No. 272 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

273. Rite Aid denies the allegations Paragraph No. 273 including any inference of wrongdoing. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations, and therefore denies the allegations. To the extent the allegations of Paragraph No. 273 reference documents, Rite Aid denies any characterization of the referenced regulations.

274. The allegations of Paragraph No. 274 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

275. The allegations of Paragraph No. 275 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

276. The allegations of Paragraph No. 276 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

277. The allegations of Paragraph No. 277 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or

information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

278. The allegations of Paragraph No. 278 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

279. The allegations of Paragraph No. 279 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

280. The allegations of Paragraph No. 280 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

281. The allegations of Paragraph No. 281 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

282. The allegations of Paragraph No. 282 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

283. The allegations of Paragraph No. 283 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

284. The allegations of Paragraph No. 284 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

285. The allegations of Paragraph No. 285 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

286. The allegations of Paragraph No. 286 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

287. The allegations of Paragraph No. 287 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

288. The allegations of Paragraph No. 288 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or

information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

289. The allegations of Paragraph No. 289 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

290. The allegations of Paragraph No. 290 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

291. The allegations of Paragraph No. 291 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

292. The allegations of Paragraph No. 292 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

293. The allegations of Paragraph No. 293 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

294. Rite Aid of Maryland, Inc. and Eckerd Corporation admit the allegations of Paragraph No. 294. Further answering, no other Rite Aid entity distributed Schedule III controlled substances to Rite Aid pharmacies in Lake and Trumbull Counties.

295. Rite Aid Hdqtrs. Corp., Rite Aid of Maryland, Inc., Eckerd Corporation, and Rite Aid of Ohio, Inc. deny the allegations in the first sentence of Paragraph No. 295. Rite Aid Hdqtrs. Corp., Rite Aid of Maryland, Inc., Eckerd Corporation, and Rite Aid of Ohio, Inc. admit that a computerized “auto-replenishment system” (ARS) was used to generate suggested orders. Rite Aid Hdqtrs. Corp., Rite Aid of Maryland, Inc., Eckerd Corporation, and Rite Aid of Ohio, Inc. deny the remaining allegations of Paragraph No. 295.

296. Rite Aid Hdqtrs. Corp. admits that it used the Navicase/Naviscript system to monitor inventory. Rite Aid of Maryland, Inc. admits that Paragraph No. 296 contains quotations from a deposition in Case Track 1A. Rite Aid of Maryland, Inc. denies any characterization of that testimony. Rite Aid Hdqtrs. Corp., Rite Aid of Maryland, Inc., Eckerd Corporation, and Rite Aid of Ohio, Inc. deny any remaining allegations of No. 296.

297. Rite Aid Hdqtrs. Corp., Rite Aid of Maryland, Inc., Eckerd Corporation, and Rite Aid of Ohio, Inc. deny the allegations of Paragraph No. 297.

298. Rite Aid Hdqtrs. Corp., Rite Aid of Maryland, Inc., Eckerd Corporation, and Rite Aid of Ohio, Inc. deny the allegations of Paragraph No. 298.

e. [sic] Rite Aid Hdqtrs. Corp., Rite Aid of Maryland, Inc., Eckerd Corporation, and Rite Aid of Ohio, Inc. deny the allegations of “paragraph e.”

299. Rite Aid Hdqtrs. Corp., Rite Aid of Maryland, Inc., Eckerd Corporation, and Rite Aid of Ohio, Inc. deny the allegations of Paragraph No. 299.

300. Rite Aid Hdqtrs. Corp., Rite Aid of Maryland, Inc., Eckerd Corporation, and Rite Aid of Ohio, Inc. deny the allegations of Paragraph No. 300.

301. Rite Aid Hdqtrs. Corp., Rite Aid of Maryland, Inc., Eckerd Corporation, and Rite Aid of Ohio, Inc. deny the allegations in the first sentence of Paragraph No. 301. Rite Aid of Maryland, Inc. admits that the second paragraph of Paragraph No. 301 quotes from a document produced by Rite Aid of Maryland, Inc. in discovery, but denies any characterization of that document that is inconsistent with the terms of the document. Rite Aid Hdqtrs. Corp., Rite Aid of Maryland, Inc., Eckerd Corporation, and Rite Aid of Ohio, Inc. deny the remaining allegations of Paragraph No. 301.

302. Rite Aid of Maryland, Inc. admits that the MDL Court denied Rite Aid of Maryland, Inc.'s motion for summary judgment.

303. Rite Aid Hdqtrs. Corp. and Rite Aid of Ohio, Inc. admit that that McKesson supplied opioids to Rite Aid at various times. Rite Aid Hdqtrs. Corp. and Rite Aid of Ohio, Inc. deny the remaining allegations of Paragraph No. 303.

304. Rite Aid Hdqtrs. Corp., Rite Aid of Maryland, Inc., Eckerd Corporation, and Rite Aid of Ohio, Inc. deny the allegations of Paragraph No. 304.

305. Rite Aid Hdqtrs. Corp., Rite Aid of Maryland, Inc., Eckerd Corporation, and Rite Aid of Ohio, Inc. deny the allegations of Paragraph No. 305.

306. Rite Aid Hdqtrs. Corp., Rite Aid of Maryland, Inc., Eckerd Corporation, and Rite Aid of Ohio, Inc. deny the allegations of Paragraph No. 306.

307. Rite Aid Hdqtrs. Corp., Rite Aid of Maryland, Inc., Eckerd Corporation, and Rite Aid of Ohio, Inc. deny the allegations of Paragraph No. 307.



308. The allegations of Paragraph No. 308 are conclusions of law to which no response is required. To the extent a response is required, Rite Aid Hdqtrs. Corp., Rite Aid of Maryland, Inc., Eckerd Corporation, and Rite Aid of Ohio, Inc. deny the allegations.

309. To the extent the allegations of Paragraph No. 309 are based on information within the ARCOS data, Rite Aid Hdqtrs. Corp., Rite Aid of Maryland, Inc., Eckerd Corporation, and Rite Aid of Ohio, Inc. deny the remaining allegations of Paragraph No. 309.

310. Rite Aid Hdqtrs. Corp., Rite Aid of Maryland, Inc., Eckerd Corporation, and Rite Aid of Ohio, Inc. deny the allegations of Paragraph No. 310.

311. Rite Aid Hdqtrs. Corp., Rite Aid of Maryland, Inc., Eckerd Corporation, and Rite Aid of Ohio, Inc. deny the allegations of Paragraph No. 311.

312. Rite Aid Hdqtrs. Corp., Rite Aid of Maryland, Inc., Eckerd Corporation, and Rite Aid of Ohio, Inc. deny the allegations of Paragraph No. 312.

313. Rite Aid Hdqtrs. Corp., Rite Aid of Maryland, Inc., Eckerd Corporation, and Rite Aid of Ohio, Inc. deny the allegations of Paragraph No. 313.

314. Rite Aid Hdqtrs. Corp., Rite Aid of Maryland, Inc., Eckerd Corporation, and Rite Aid of Ohio, Inc. deny the allegations of Paragraph No. 314.

315. Rite Aid Hdqtrs. Corp., Rite Aid of Maryland, Inc., Eckerd Corporation, and Rite Aid of Ohio, Inc. deny the allegations of Paragraph No. 315.

316. Rite Aid Hdqtrs. Corp., Rite Aid of Maryland, Inc., Eckerd Corporation, and Rite Aid of Ohio, Inc. deny the allegations of Paragraph No. 316.

317. Rite Aid Hdqtrs. Corp., Rite Aid of Maryland, Inc., Eckerd Corporation, and Rite Aid of Ohio, Inc. deny the allegations of Paragraph No. 317.

318. Rite Aid Hdqtrs. Corp., Rite Aid of Maryland, Inc., Eckerd Corporation, and Rite Aid of Ohio, Inc. deny the allegations of Paragraph No. 318.

319. Rite Aid Hdqtrs. Corp., Rite Aid of Maryland, Inc., Eckerd Corporation, and Rite Aid of Ohio, Inc. deny the allegations of Paragraph No. 319.

320. Rite Aid Hdqtrs. Corp., Rite Aid of Maryland, Inc., Eckerd Corporation, and Rite Aid of Ohio, Inc. deny the allegations of Paragraph No. 320.

321. Rite Aid Hdqtrs. Corp., Rite Aid of Maryland, Inc., Eckerd Corporation, and Rite Aid of Ohio, Inc. deny the allegations of Paragraph No. 321.

322. Rite Aid Hdqtrs. Corp., Rite Aid of Maryland, Inc., Eckerd Corporation, and Rite Aid of Ohio, Inc. deny the allegations of Paragraph No. 322.

323. Rite Aid of Ohio, Inc. and Rite Aid Hdqtrs. Corp. admit that for a limited time in 2011 and 2012 there was a program in which customers received a \$5 gift card if certain prescriptions were not filled in 15 minutes or less. Rite Aid Hdqtrs. Corp., Rite Aid of Maryland, Inc., Eckerd Corporation, and Rite Aid of Ohio, Inc. deny that such a program has existed since 2012. Rite Aid Hdqtrs. Corp., Rite Aid of Maryland, Inc., Eckerd Corporation, and Rite Aid of Ohio, Inc. deny the remaining allegations of Paragraph No. 323, except that they lack knowledge or information sufficient to form a belief as to the truth of the allegations in the final sentence of Paragraph No. 323, and therefore deny the allegations.

324. Rite Aid Hdqtrs. Corp., Rite Aid of Maryland, Inc., Eckerd Corporation, and Rite Aid of Ohio, Inc. deny the allegations of Paragraph No. 324.

325. Rite Aid Hdqtrs. Corp., Rite Aid of Maryland, Inc., Eckerd Corporation, and Rite Aid of Ohio, Inc. deny the allegations of Paragraph No. 325.

326. Rite Aid Hdqtrs. Corp., Rite Aid of Maryland, Inc., Eckerd Corporation, and Rite Aid of Ohio, Inc. deny the allegations of Paragraph No. 326.

327. Rite Aid Hdqtrs. Corp., Rite Aid of Maryland, Inc., Eckerd Corporation, and Rite Aid of Ohio, Inc. deny the allegations of Paragraph No. 327.

328. The allegations of Paragraph No. 328 are based on information within the ARCOS data. Rite Aid denies any characterization of that information. Rite Aid denies the remaining allegations of Paragraph No. 328.

329. Rite Aid Hdqtrs. Corp., Rite Aid of Maryland, Inc., Eckerd Corporation, and Rite Aid of Ohio, Inc. deny the allegations of Paragraph No. 329.

330. Rite Aid Hdqtrs. Corp., Rite Aid of Maryland, Inc., Eckerd Corporation, and Rite Aid of Ohio, Inc. deny the allegations of Paragraph No. 330.

331. Rite Aid Hdqtrs. Corp., Rite Aid of Maryland, Inc., Eckerd Corporation, and Rite Aid of Ohio, Inc. deny the allegations of Paragraph No. 331. To the extent the allegations of this paragraph are based on information within the ARCOS data, Rite Aid denies any characterization of that information. To the extent these allegations pertain to other defendants, Rite Aid Hdqtrs. Corp., Rite Aid of Maryland, Inc., Eckerd Corporation, and Rite Aid of Ohio, Inc. lack knowledge or information sufficient to form a belief as to the truth of the allegations, and therefore denies the allegations.

332. Rite Aid Hdqtrs. Corp., Rite Aid of Maryland, Inc., Eckerd Corporation, and Rite Aid of Ohio, Inc. deny the allegations of Paragraph No. 332.

333. Rite Aid Hdqtrs. Corp., Rite Aid of Maryland, Inc., Eckerd Corporation, and Rite Aid of Ohio, Inc. deny the allegations of Paragraph No. 333.

334. The allegations of Paragraph No. 334 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

335. The allegations of Paragraph No. 335 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

336. The allegations of Paragraph No. 336 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

337. The allegations of Paragraph No. 337 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

338. The allegations of Paragraph No. 338 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

339. The allegations of Paragraph No. 339 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or

information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

340. The allegations of Paragraph No. 340 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

341. The allegations of Paragraph No. 341 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

342. The allegations of Paragraph No. 342 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

343. The allegations of Paragraph No. 343 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

344. The allegations of Paragraph No. 344 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

345. The allegations of Paragraph No. 345 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

346. The allegations of Paragraph No. 346 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

347. The allegations of Paragraph No. 347 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

348. The allegations of Paragraph No. 348 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

349. The allegations of Paragraph No. 349 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

350. The allegations of Paragraph No. 350 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or

information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

351. The allegations of Paragraph No. 351 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

352. The allegations of Paragraph No. 352 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

353. The allegations of Paragraph No. 353 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

354. The allegations of Paragraph No. 354 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

355. The allegations of Paragraph No. 355 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

356. The allegations of Paragraph No. 356 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

357. The allegations of Paragraph No. 357 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

358. The allegations of Paragraph No. 358 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

359. The allegations of Paragraph No. 359 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

360. The allegations of Paragraph No. 360 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

361. The allegations of Paragraph No. 361 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or



information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

362. The allegations of Paragraph No. 362 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

363. The allegations of Paragraph No. 363 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

364. The allegations of Paragraph No. 364 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

365. The allegations of Paragraph No. 365 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

366. The allegations of Paragraph No. 366 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

367. The allegations of Paragraph No. 367 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

368. The allegations of Paragraph No. 368 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

369. The allegations of Paragraph No. 369 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

370. The allegations of Paragraph No. 370 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

371. The allegations of Paragraph No. 371 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

372. The allegations of Paragraph No. 372 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or

information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

373. The allegations of Paragraph No. 373 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

374. The allegations of Paragraph No. 374 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

375. The allegations of Paragraph No. 375 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

376. The allegations of Paragraph No. 376 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

377. The allegations of Paragraph No. 377 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

378. The allegations of Paragraph No. 378 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

379. The allegations of Paragraph No. 379 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

380. The allegations of Paragraph No. 380 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

381. The allegations of Paragraph No. 381 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

382. The allegations of Paragraph No. 382 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

383. The allegations of Paragraph No. 383 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or

information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

384. The allegations of Paragraph No. 384 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

385. The allegations of Paragraph No. 385 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

386. The allegations of Paragraph No. 386 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

387. The allegations of Paragraph No. 387 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

388. The allegations of Paragraph No. 388 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

389. The allegations of Paragraph No. 389 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

390. The allegations of Paragraph No. 390 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

391. The allegations of Paragraph No. 391 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

392. The allegations of Paragraph No. 392 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

393. The allegations of Paragraph No. 393 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

394. The allegations of Paragraph No. 394 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or

information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

395. The allegations of Paragraph No. 395 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

396. The allegations of Paragraph No. 396 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

397. The allegations of Paragraph No. 397 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

398. The allegations of Paragraph No. 398 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

399. The allegations of Paragraph No. 399 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

400. The allegations of Paragraph No. 400 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

401. The allegations of Paragraph No. 401 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

402. The allegations of Paragraph No. 402 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

403. The allegations of Paragraph No. 403 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

404. The allegations of Paragraph No. 404 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

405. The allegations of Paragraph No. 405 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or



information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

406. The allegations of Paragraph No. 406 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

407. The allegations of Paragraph No. 407 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

408. The allegations of Paragraph No. 408 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

409. The allegations of Paragraph No. 409 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

410. The allegations of Paragraph No. 410 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

411. The allegations of Paragraph No. 411 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

412. The allegations of Paragraph No. 412 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

413. Rite Aid denies the allegations of Paragraph No. 413. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations, and therefore denies the allegations.

414. The allegations of Paragraph No. 414 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

415. The allegations of Paragraph No. 415 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

416. The allegations of Paragraph No. 416 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

417. The allegations of Paragraph No. 417 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

418. The allegations of Paragraph No. 418 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

419. The allegations of Paragraph No. 419 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

420. The allegations of Paragraph No. 420 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

421. The allegations of Paragraph No. 421 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

422. The allegations of Paragraph No. 422 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or

information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

423. The allegations of Paragraph No. 423 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

424. Rite Aid Hdqtrs. Corp., Rite Aid of Maryland, Inc., Eckerd Corporation, and Rite Aid of Ohio, Inc. deny the allegations of the second sentence of Paragraph No. 424. Rite Aid Hdqtrs. Corp., Rite Aid of Maryland, Inc., Eckerd Corporation, and Rite Aid of Ohio, Inc. lack knowledge or information sufficient to form a belief as to the truth of the remaining allegations of Paragraph No. 424, and therefore denies the allegations.

425. Rite Aid denies the allegations of Paragraph No. 425. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations, and therefore denies the allegations.

426. Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph No. 426. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations, and therefore denies the allegations.

427. Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph No. 427, and therefore denies the allegations.

428. Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph No. 428, and therefore denies the allegations.

429. The allegations of Paragraph No. 429 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

430. Rite Aid Hdqtrs. Corp., Rite Aid of Maryland, Inc., Eckerd Corporation, and Rite Aid of Ohio, Inc. lack knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph No. 430, and therefore deny the allegations.

431. Rite Aid Hdqtrs. Corp., Rite Aid of Maryland, Inc., Eckerd Corporation, and Rite Aid of Ohio, Inc. lack knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph No. 431, and therefore deny the allegations.

432. The allegations of Paragraph No. 432 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

433. The allegations of Paragraph No. 433 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

434. Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph No. 434, and therefore denies the allegations.

435. Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph No. 435, and therefore denies the allegations.

436. Rite Aid denies the allegations in the first two sentences of Paragraph No. 436. Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations of Paragraph No. 436, and therefore denies the allegations.

437. Rite Aid Hdqtrs. Corp. admits that it is a member of NACDS. Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations of Paragraph No. 437, and therefore denies the allegations.

438. Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph No. 438, and therefore denies the allegations.

439. The allegations of Paragraph No. 439 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

440. The allegations of Paragraph No. 440 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

441. Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph No. 441, and therefore denies the allegations.

442. Rite Aid Hdqtrs. Corp. admits that it is a member of NACDS. Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations of Paragraph No. 442, and therefore denies the allegations.

443. Rite Aid Hdqtrs. Corp. admits that it is a member of the NACDS. Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations of Paragraph No. 443, and therefore denies the allegations.

444. Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph No. 444, and therefore denies the allegations.

445. Rite Aid Hdqtrs. Corp. admits that it is a member of the NACDS. Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations of Paragraph No. 445, and therefore denies the allegations.

446. Rite Aid Hdqtrs. Corp. admits that it is a member of NACDS. Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations of Paragraph No. 446, and therefore denies the allegations.

447. Rite Aid Hdqtrs. Corp. admits that it is a member of NACDS. Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations of Paragraph No. 447, and therefore denies the allegations.

448. Rite Aid denies the allegations of Paragraph No. 448. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations and denies the allegations.

449. The allegations of Paragraph No. 449 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

450. The allegations of Paragraph No. 450 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or

information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

451. The allegations of Paragraph No. 451 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

452. The allegations of Paragraph No. 452 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

453. The allegations of Paragraph No. 453 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

454. Rite Aid denies the allegations of Paragraph No. 454. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations and denies the allegations.

455. The allegations of Paragraph No. 455 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

456. The allegations of Paragraph No. 456 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or



information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

457. The allegations of Paragraph No. 457 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

458. The allegations of Paragraph No. 458 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

459. The allegations of Paragraph No. 459 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

460. The allegations of Paragraph No. 460 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

461. The allegations of Paragraph No. 461 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

462. The allegations of Paragraph No. 462 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

463. The allegations of Paragraph No. 463 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

464. The allegations of Paragraph No. 464 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

465. The allegations of Paragraph No. 465 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

466. The allegations of Paragraph No. 466 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

467. The allegations of Paragraph No. 467 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or

information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

468. The allegations of Paragraph No. 468 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

469. The allegations of Paragraph No. 469 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

470. The allegations of Paragraph No. 470 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

471. The allegations of Paragraph No. 471 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

472. The allegations of Paragraph No. 472 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

473. The allegations of Paragraph No. 473 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

474. The allegations of Paragraph No. 474 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

475. The allegations of Paragraph No. 475 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

476. The allegations of Paragraph No. 476 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

477. The allegations of Paragraph No. 477 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

478. Rite Aid Hdqtrs. Corp., Rite Aid of Maryland, Inc., Eckerd Corporation, and Rite Aid of Ohio, Inc. deny the allegations of Paragraph No. 478. Rite Aid Hdqtrs. Corp., Rite Aid of

Maryland, Inc., Eckerd Corporation, and Rite Aid of Ohio, Inc. further deny Plaintiff's characterizations of the referenced documents.

479. Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph No. 479, and therefore denies the allegations.

480. Rite Aid denies the allegations of Paragraph No. 480. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations and denies the allegations.

481. The allegations of Paragraph No. 481 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

482. The allegations of Paragraph No. 482 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

483. The allegations of Paragraph No. 483 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

484. The allegations of Paragraph No. 484 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

485. The allegations of Paragraph No. 485 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

486. Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations in the second sentence of Paragraph No. 486, and therefore denies the allegations to the extent the allegations are directed at Rite Aid. The remaining allegations of Paragraph No. 486 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

487. The allegations of Paragraph No. 487 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

488. The allegations of Paragraph No. 488 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

489. The allegations of Paragraph No. 489 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

490. The allegations of Paragraph No. 490 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

491. The allegations of Paragraph No. 491 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

492. Rite Aid Hdqtrs. Corp. admits that Paragraph No. 492 quotes language from a Rite Aid website, but denies any characterization thereof. Rite Aid denies the remaining allegations of Paragraph No. 492.

251. [*sic*] Rite Aid Hdqtrs. Corp. admits that it is a member of NACDS. Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations of Paragraph No. 251, and therefore denies the allegations.

493. Rite Aid denies the allegations of Paragraph No. 493. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations, and therefore denies the allegations.

494. Rite Aid denies the allegations of Paragraph No. 494. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations, and therefore denies the allegations.

495. Rite Aid denies the allegations of Paragraph No. 495. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations, and therefore denies the allegations.

496. The allegations of Paragraph No. 496 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

497. The allegations of Paragraph No. 497 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

498. The allegations of Paragraph No. 498 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

499. The allegations of Paragraph No. 499 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

500. The allegations of Paragraph No. 500 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

501. The allegations of Paragraph No. 501 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or



information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

502. The allegations of Paragraph No. 502 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

503. The allegations of Paragraph No. 503 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

504. The allegations of Paragraph No. 504 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

505. The allegations of Paragraph No. 505 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

506. The allegations of Paragraph No. 506 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

507. The allegations of Paragraph No. 507 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

508. The allegations of Paragraph No. 508 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

509. The allegations of Paragraph No. 509 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

510. The allegations of Paragraph No. 510 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

511. The allegations of Paragraph No. 511 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

512. The allegations of Paragraph No. 512 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or

information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

513. The allegations of Paragraph No. 513 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

514. The allegations of Paragraph No. 514 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

515. The allegations of Paragraph No. 515 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

516. The allegations of Paragraph No. 516 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

517. The allegations of Paragraph No. 517 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

518. The allegations of Paragraph No. 518 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

519. The allegations of Paragraph No. 519 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

520. The allegations of Paragraph No. 520 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

521. The allegations of Paragraph No. 521 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

522. The allegations of Paragraph No. 522 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

523. The allegations of Paragraph No. 523 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or

information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

524. The allegations of Paragraph No. 524 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

525. The allegations of Paragraph No. 525 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

526. The allegations of Paragraph No. 526 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

527. The allegations of Paragraph No. 527 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

528. The allegations of Paragraph No. 528 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

529. Rite Aid Hdqtrs. Corp., Rite Aid of Maryland, Inc., Eckerd Corporation, and Rite Aid of Ohio, Inc. deny the allegations of Paragraph No. 529.

530. Rite Aid Hdqtrs. Corp., Rite Aid of Maryland, Inc., Eckerd Corporation, and Rite Aid of Ohio, Inc. deny that any Rite Aid entity that is a party in this action was a party to the referenced settlement agreement. The referenced settlement agreement is not admissible nor relevant to this action. Rite Aid Hdqtrs. Corp., Rite Aid of Maryland, Inc., Eckerd Corporation, and Rite Aid of Ohio, Inc. deny the remaining allegations of Paragraph No. 530.

531. Rite Aid Hdqtrs. Corp. admits that it entered into a settlement agreement with the Rhode Island Office of the Attorney General and Drug Enforcement Administration in December 2018. The referenced settlement agreement is not admissible nor relevant to this action. Rite Aid Hdqtrs. Corp., Rite Aid of Maryland, Inc., Eckerd Corporation, and Rite Aid of Ohio, Inc. deny the remaining allegations of Paragraph No. 531.

532. Rite Aid Hdqtrs. Corp., Rite Aid of Maryland, Inc., Eckerd Corporation, and Rite Aid of Ohio, Inc. admit that a settlement agreement with the United States Attorney's Office for the Southern District of California was executed in 2017. The referenced settlement agreement is not admissible nor relevant to this action. Rite Aid Hdqtrs. Corp., Rite Aid of Maryland, Inc., Eckerd Corporation, and Rite Aid of Ohio, Inc. deny the remaining allegations of Paragraph No. 532

533. Rite Aid Hdqtrs. Corp., Rite Aid of Maryland, Inc., Eckerd Corporation, and Rite Aid of Ohio, Inc. admit that a settlement agreement with the DEA was executed in 2009 involving Rite Aid pharmacies in certain states, not including Ohio. The referenced settlement agreement is not admissible nor relevant to this action. Rite Aid Hdqtrs. Corp., Rite Aid of Maryland, Inc.,

Eckerd Corporation, and Rite Aid of Ohio, Inc. deny the remaining allegations of Paragraph No. 533.

534. Rite Aid Hdqtrs. Corp., Rite Aid of Maryland, Inc., Eckerd Corporation, and Rite Aid of Ohio, Inc. deny the allegations of Paragraph No. 534

535. The allegations of Paragraph No. 535 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

536. The allegations of Paragraph No. 536 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

537. The allegations of Paragraph No. 537 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

538. Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph No. 538, and therefore denies the allegations. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations, and therefore denies the allegations.

539. Rite Aid denies the allegations of Paragraph No. 539. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations, and therefore denies the allegations.

540. Rite Aid denies the allegations of Paragraph No. 540. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations, and therefore denies the allegations.

541. Rite Aid denies the allegations of Paragraph No. 541.

542. Rite Aid denies the allegations of Paragraph No. 542. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations, and therefore denies the allegations.

543. Rite Aid denies the allegations of Paragraph No. 543. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations, and therefore denies the allegations.

544. Rite Aid denies the allegations of Paragraph No. 544. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations, and therefore denies the allegations

545. Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph No. 545, and therefore denies the allegations.

546. Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph No. 546, and therefore denies the allegations.

547. Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph No. 547, and therefore denies the allegations.

548. Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph No. 548, and therefore denies the allegations.

549. Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph No. 549, and therefore denies the allegations.



550. Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph No. 550, and therefore denies the allegations. Further, Rite Aid denies any characterizations of *United States v. Elliott*, 876 F.3d 855, 858 (6th Cir. 2017).

551. Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph No. 551, and therefore denies the allegations.

552. Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph No. 552, and therefore denies the allegations.

553. Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph No. 553, and therefore denies the allegations.

554. Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph No. 554, and therefore denies the allegations.

555. Rite Aid denies the allegations of Paragraph No. 555. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations, and therefore denies the allegations.

556. The allegations of Paragraph No. 556 are conclusions of law to which no response is required. To the extent a response is required, Rite Aid denies the allegations of Paragraph No. 556. By further response, Rite Aid denies any characterizations of the referenced state and federal statutes and regulations. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations, and therefore denies the allegations.

557. The allegations of Paragraph No. 557 are conclusions of law to which no response is required. To the extent a response is required, Rite Aid denies the allegations of Paragraph No. 557. By further response, Rite Aid denies any characterizations of the referenced state

regulations. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations, and denies the allegations.

558. The allegations of Paragraph No. 558 are conclusions of law to which no response is required. To the extent a response is required, Rite Aid denies the allegations of Paragraph No. 558. By further response, Rite Aid denies any characterizations of the referenced state and federal statutes and regulations. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations, and therefore denies the allegations.

559. The allegations of Paragraph No. 559 are conclusions of law to which no response is required. To the extent a response is required, Rite Aid denies the allegations of Paragraph No. 559. By further response, Rite Aid denies any characterizations of the referenced state regulations. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations, and denies the allegations.

560. The allegations of Paragraph No. 560 are conclusions of law to which no response is required. To the extent a response is required, Rite Aid denies the allegations of Paragraph No. 560. By further response, Rite Aid denies any characterizations of the referenced state regulations. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations, and denies the allegations.

561. The allegations of Paragraph No. 561 are conclusions of law to which no response is required. To the extent a response is required, Rite Aid denies the allegations of Paragraph

No. 561. Rite Aid denies Plaintiff's characterization of the referenced court decision. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations, and denies the allegations.

562. The allegations of Paragraph No. 562 are conclusions of law to which no response is required. To the extent a response is required, Rite Aid denies the allegations of Paragraph No. 562. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations, and denies the allegations.

563. Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph No. 563, and therefore denies the allegations.

564. Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph No. 564, and therefore denies the allegations.

565. Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph No. 565, and therefore denies the allegations. To the extent the allegations in this paragraph are based on information within the ARCOS data, Rite Aid denies Plaintiff's characterization of that information.

566. Rite Aid denies the allegations of Paragraph No. 566.

567. Rite Aid denies the allegations of Paragraph No. 567. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations, and denies the allegations.

568. Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph No. 568, and denies the allegations. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations, and denies the allegations.

569. The allegations of Paragraph No. 569 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

570. Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations in the first two sentences of Paragraph No. 570, and denies the allegations. Rite Aid denies the allegations in the third sentence of Paragraph No. 570. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations.

571. Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph No. 571, and denies the allegations.

572. Rite Aid denies the allegations of Paragraph No. 572. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations, and therefore denies them.

573. Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph No. 573, and denies the allegations.

574. Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph No. 574, and denies the allegations.

575. Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph No. 575, and denies the allegations.

576. Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph No. 576, and denies the allegations.

577. Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph No. 577, and denies the allegations.

578. Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph No. 578, and denies the allegations.

579. Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph No. 579, and denies the allegations.

580. Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph No. 581, and denies the allegations.

581. Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph No. 581, and denies the allegations.

582. Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph No. 582, and denies the allegations.

583. Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph No. 583, and denies the allegations. To the extent these allegations reference a study by the Ohio Substance Abuse Monitoring Network, Rite Aid denies any characterization of the study.

584. Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph No. 584, and denies the allegations.

585. Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph No. 585, and denies the allegations.

586. Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph No. 586, and denies the allegations.

587. Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph No. 587, and denies the allegations.

588. Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph No. 588, and denies the allegations.

589. Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph No. 589, and denies the allegations.

590. Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph No. 590, and denies the allegations.

591. Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph No. 591, and denies the allegations.

592. Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph No. 592, and denies the allegations.

593. Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph No. 593, and denies the allegations.

594. Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph No. 594, and denies the allegations.

595. Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph No. 595, and denies the allegations. To the extent these allegations reference a report by the Public Children Services Association of Ohio, Rite Aid denies any characterization of the report.

596. Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph No. 596, and denies the allegations.

597. Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph No. 597, and denies the allegations.

598. Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph No. 598, and denies the allegations.

599. Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph No. 599, and denies the allegations.

600. Rite Aid denies the allegations of Paragraph No. 600. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations.

601. Rite Aid denies the allegations of Paragraph No. 601. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations.

602. Rite Aid denies the allegations of Paragraph No. 602. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations.

603. Rite Aid denies the allegations of Paragraph No. 603. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations.

604. Rite Aid denies the allegations of Paragraph No. 604. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations.

605. Rite Aid denies the allegations of Paragraph No. 605. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations.

606. Rite Aid denies the allegations of Paragraph No. 606. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations.

607. The allegations of Paragraph No. 607 are conclusions of law to which no response is required. To the extent a response is required, Rite Aid denies the allegations of Paragraph No. 607. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations, and denies the allegations.

608. The allegations of Paragraph No. 608 are conclusions of law to which no response is required. To the extent a response is required, Rite Aid denies the allegations of Paragraph No. 608. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations, and denies the allegations.

609. The allegations of Paragraph No. 609 are conclusions of law to which no response is required. To the extent a response is required, Rite Aid denies the allegations of Paragraph No. 609. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations, and denies the allegations.

610. Rite Aid denies the allegations of Paragraph No. 610. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations, and denies the allegations.



611. Rite Aid denies the allegations of Paragraph No. 611. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations, and denies the allegations.

612. The allegations of Paragraph No. 612 are conclusions of law to which no response is required. To the extent a response is required, Rite Aid denies the allegations of Paragraph No. 612. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations, and denies the allegations.

613. The allegations of Paragraph No. 613 are conclusions of law to which no response is required. To the extent a response is required, Rite Aid admits that Paragraph No. 613 quotes from a prior order of the Court. Rite Aid denies any characterization of the order. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations, and denies the allegations.

614. The allegations of Paragraph No. 614 are conclusions of law to which no response is required. To the extent a response is required, Rite Aid denies the allegations of Paragraph No. 614. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations, and denies the allegations.

615. The allegations of Paragraph No. 615 are conclusions of law to which no response is required. To the extent a response is required, Rite Aid denies the allegations of Paragraph No. 615. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations, and denies the allegations.

#### **CAUSES OF ACTION**

616. The foregoing paragraphs are incorporated herein as if set forth in their entirety.

617. The allegations of Paragraph No. 617 are conclusions of law to which no response is required. To the extent a response is required, Rite Aid denies the allegations. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

618. The allegations of Paragraph No. 618 are conclusions of law to which no response is required. To the extent a response is required, Rite Aid denies the allegations. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

619. The allegations of Paragraph No. 619 are conclusions of law to which no response is required. To the extent a response is required, Rite Aid denies the allegations. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

620. The allegations of Paragraph No. 620 are conclusions of law to which no response is required. To the extent a response is required, Rite Aid denies the allegations. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

621. The allegations of Paragraph No. 621 are conclusions of law to which no response is required. To the extent a response is required, Rite Aid denies the allegations. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

622. The allegations of Paragraph No. 622 are conclusions of law to which no response is required. To the extent a response is required, Rite Aid denies the allegations. To the extent

these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

623. The allegations of Paragraph No. 623 are conclusions of law to which no response is required. To the extent a response is required, Rite Aid denies the allegations. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

624. The allegations of Paragraph No. 624 are conclusions of law to which no response is required. To the extent a response is required, Rite Aid denies the allegations. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

625. The allegations of Paragraph No. 625 are conclusions of law to which no response is required. To the extent a response is required, Rite Aid denies the allegations. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

626. The allegations of Paragraph No. 626 are conclusions of law to which no response is required. To the extent a response is required, Rite Aid denies the allegations. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

627. The allegations of Paragraph No. 627 are conclusions of law to which no response is required. To the extent a response is required, Rite Aid denies the allegations. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

628. The allegations of Paragraph No. 628 are conclusions of law to which no response is required. To the extent a response is required, Rite Aid denies the allegations. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

629. The allegations of Paragraph No. 629 are conclusions of law to which no response is required. To the extent a response is required, Rite Aid denies the allegations. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

630. The allegations of Paragraph No. 630 are conclusions of law to which no response is required. To the extent a response is required, Rite Aid denies the allegations. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

631. The allegations of Paragraph No. 631 are conclusions of law to which no response is required. To the extent a response is required, Rite Aid denies the allegations. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

632. The allegations of Paragraph No. 632 are conclusions of law to which no response is required. To the extent a response is required, Rite Aid denies the allegations. By way of further response, Rite Aid denies any characterization of the referenced regulation. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

633. The allegations of Paragraph No. 633 are conclusions of law to which no response is required. To the extent a response is required, Rite Aid denies the allegations. To the extent

these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

634. The allegations of Paragraph No. 634 are conclusions of law to which no response is required. To the extent a response is required, Rite Aid denies the allegations. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

635. The allegations of Paragraph No. 635 are conclusions of law to which no response is required. To the extent a response is required, Rite Aid denies the allegations. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

636. The allegations of Paragraph No. 636 are conclusions of law to which no response is required. To the extent a response is required, Rite Aid denies the allegations. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

637. The allegations of Paragraph No. 637 are conclusions of law to which no response is required. To the extent a response is required, Rite Aid denies the allegations. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

638. The allegations of Paragraph No. 638 are conclusions of law to which no response is required. To the extent a response is required, Rite Aid denies the allegations. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

639. The allegations of Paragraph No. 639 are conclusions of law to which no response is required. To the extent a response is required, Rite Aid denies the allegations. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

640. The allegations of Paragraph No. 640 are conclusions of law to which no response is required. To the extent a response is required, Rite Aid denies the allegations. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

641. The allegations of Paragraph No. 641 are conclusions of law to which no response is required. To the extent a response is required, Rite Aid denies the allegations. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

642. The allegations of Paragraph No. 642 are conclusions of law to which no response is required. To the extent a response is required, Rite Aid denies the allegations. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

643. The allegations of Paragraph No. 643 are conclusions of law to which no response is required. To the extent a response is required, Rite Aid denies the allegations. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

644. The allegations of Paragraph No. 644 are conclusions of law to which no response is required. To the extent a response is required, Rite Aid denies the allegations. To the extent

these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

645. Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph No. 645, and therefore denies the allegations.

646. The allegations of Paragraph No. 646 are conclusions of law to which no response is required. To the extent a response is required, Rite Aid denies the allegations. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

647. The allegations of Paragraph No. 647 are conclusions of law to which no response is required. To the extent a response is required, Rite Aid denies the allegations. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

648. The allegations of Paragraph No. 648 are conclusions of law to which no response is required. To the extent a response is required, Rite Aid denies the allegations. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

649. The allegations of Paragraph No. 649 are conclusions of law to which no response is required. To the extent a response is required, Rite Aid denies the allegations. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

650. The allegations of Paragraph No. 650 are conclusions of law to which no response is required. To the extent a response is required, Rite Aid denies the allegations. To the extent

these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

651. The allegations of Paragraph No. 651 are conclusions of law to which no response is required. To the extent a response is required, Rite Aid denies the allegations. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

652. The allegations of Paragraph No. 652 are conclusions of law to which no response is required. To the extent a response is required, Rite Aid denies the allegations. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

653. The allegations of Paragraph No. 653 are conclusions of law to which no response is required. To the extent a response is required, Rite Aid denies the allegations. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

654. The allegations of Paragraph No. 654 are conclusions of law to which no response is required. To the extent a response is required, Rite Aid denies the allegations. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies the allegations.

#### **PRAYER FOR RELIEF**

607. [sic] Rite Aid denies that Plaintiff is entitled to any relief set forth in its Complaint.

#### **GENERAL DENIAL**

Rite Aid denies all allegations not specifically admitted in this Answer.



### **RESERVATION OF RIGHTS**

Rite Aid reserves the right to amend its Answer to the Complaint, and to raise additional defenses as may be discovered during the course of this litigation and its continuing factual investigation.

### **AFFIRMATIVE AND OTHER DEFENSES**

#### **FIRST DEFENSE**

To the extent they are not otherwise incorporated herein, Defendant incorporates all the defenses and arguments raised in the motions to dismiss of the Manufacturer Defendants, Distributor Defendants, and Pharmacy Defendants in this case.

#### **SECOND DEFENSE**

Plaintiffs' claims are barred, in whole or in part, by the applicable statutes of limitation or repose.

#### **THIRD DEFENSE**

Plaintiffs' claims are barred, in whole or in part, by the doctrine of laches.

#### **FOURTH DEFENSE**

Plaintiffs' claims are barred, in whole or in part, for lack of standing.

#### **FIFTH DEFENSE**

Plaintiffs' claims are barred by the voluntary payment doctrine.

#### **SIXTH DEFENSE**

Plaintiffs' claims are barred, in whole or in part, because Plaintiffs lack capacity to assert their claims, including claims indirectly maintained on behalf of their citizens and claims brought as *parens patriae*.

#### **SEVENTH DEFENSE**

Plaintiffs' claims are barred because Plaintiffs are not the real party in interest.

**EIGHTH DEFENSE**

Plaintiffs' claims are barred, in whole or in part, by the doctrines of acquiescence, settlement, or release.

**NINTH DEFENSE**

Plaintiffs' claims are barred, in whole or in part, because they are not ripe or have become moot.

**TENTH DEFENSE**

Plaintiffs' claims are barred, in whole or in part, by common law, statutory, and state constitutional constraints on the exercise of police powers by a municipality.

**ELEVENTH DEFENSE**

Plaintiffs' claims are barred, in whole or in part, by the political question and separation of powers doctrines and because their claims implicate issues of statewide importance that are reserved for state regulation.

**TWELFTH DEFENSE**

Plaintiffs' claims are barred, in whole or in part, by the doctrines of unclean hands and *in pari delicto*.

**THIRTEENTH DEFENSE**

Plaintiffs' claims are barred, in whole or in part, for failure to exhaust administrative remedies.

**FOURTEENTH DEFENSE**

Plaintiffs' claims are barred, in whole or in part, by the doctrines of estoppel and waiver.

**FIFTEENTH DEFENSE**

Rite Aid is entitled to, and claims the benefit of, all defenses and presumptions set forth in or arising from any rule of law or statute of this State or any other state whose substantive law might control the action.

**SIXTEENTH DEFENSE**

Plaintiffs' claims are barred, in whole or in part, by the learned intermediary doctrine.

**SEVENTEENTH DEFENSE**

Plaintiffs have failed to join all necessary parties, including without limitation health care providers, prescribers, patients, and other third parties whom Plaintiffs allege engaged in the unauthorized or illicit prescription, dispensing, diversion, or use of prescription opioid products.

**EIGHTEENTH DEFENSE**

Plaintiffs' claims against Defendant do not arise out of the same transactions or occurrences as their claims against other defendants, as required for joinder of parties.

**NINETEENTH DEFENSE**

Plaintiffs' claims are barred, in whole or in part, to the extent that they relate to Defendant's alleged speech, petitioning, or associational activities protected by the First Amendment to the Constitution of the United States or by the Constitution of the State of Ohio.

**TWENTIETH DEFENSE**

Plaintiffs' claims are barred, in whole or in part, by the Due Process or Ex Post Facto clauses of the Constitution of the United States or the Constitution of the State of Ohio.

**TWENTY-FIRST DEFENSE**

Defendant's rights under the Due Process Clause of the United States Constitution and Constitution of the State of Ohio are violated by any financial or other arrangement that might distort a government attorney's duty to pursue justice rather than his or her personal interests,

financial or otherwise, in the context of a civil enforcement proceeding, including by Plaintiffs' use of a contingency fee contract with private counsel.

#### **TWENTY-SECOND DEFENSE**

Plaintiffs' claims are barred, in whole or in part, because they violate the dormant Commerce Clause of the United States Constitution.

#### **TWENTY-THIRD DEFENSE**

Plaintiffs' claims are barred, in whole or in part, because Defendant did not proximately cause the damages complained of, including because the acts of other persons (including individuals engaged in the illegal distribution or use of opioids without a proper prescription) intervened between Defendant's alleged acts and Plaintiffs' alleged harms and constitute superseding causes that would extinguish any liability; because any injuries or damages sustained by Plaintiffs were caused or contributed to by the negligence or actual conduct of Plaintiffs and other persons, firms, corporations, or entities over whom Defendant had no control or right of control and for whom it is not responsible; because any injuries or damages sustained by Plaintiffs were caused by unforeseeable and uncontrollable circumstances or other forces over which Defendant had no control and for which Defendant is not responsible, including pre-existing medical conditions; because any injuries or damages sustained by Plaintiffs were caused by misuse of products, failure to use products properly, or alteration of prescription medications by third parties over whom Defendants had no control and for whom Defendants are not responsible.

#### **TWENTY-FOURTH DEFENSE**

The claims asserted in the Complaint are barred, in whole or in part, by the Restatement (Second) of Torts § 402A, Comments j and k, and Restatement (Third) of Torts: Products Liability § 6.

**TWENTY-FIFTH DEFENSE**

Plaintiffs' claims are barred, in whole or in part, because the derivative injury rule and the remoteness doctrine bar Plaintiffs from recovering payments that it allegedly made on behalf its residents to reimburse any expenses for health care, pharmaceutical care, and other public services.

**TWENTY-SIXTH DEFENSE**

Plaintiffs' claims are barred, in whole or in part, because Defendant has valid defenses which bar recovery by those persons on whose behalf Plaintiffs purportedly seek recovery. Plaintiffs' claims are subject to all defenses that could be asserted if Plaintiffs' claims were properly made by individuals on whose behalf or for whose alleged damages Plaintiffs seek to recover.

**TWENTY-SEVENTH DEFENSE**

Plaintiffs have failed to comply with the requirement that they identify each patient in whose claim(s) they have a subrogation interest and on whose behalf they have incurred costs.

**TWENTY-EIGHTH DEFENSE**

Plaintiffs fail to plead that they reimbursed any prescriptions for any opioid distributed by Defendant that harmed patients and should not have been written and fail to plead that Defendant's allegedly improper conduct caused any health care provider to write any ineffective or harmful opioid prescriptions.

**TWENTY-NINTH DEFENSE**

Plaintiffs' claims seeking equitable relief are barred because Plaintiffs have an adequate remedy at law.

**THIRTIETH DEFENSE**

Plaintiffs' claims are barred, in whole or in part, by the principle of comparative or contributory fault.

**THIRTY-FIRST DEFENSE**

Plaintiffs' claims are barred, in whole or in part, by the principles of assumption of the risk and informed consent.

**THIRTY-SECOND DEFENSE**

Rite Aid asserts its right to a proportionate reduction of any damages found against Rite Aid based on the negligence or other conduct of any settling tortfeasor, responsible third party, or Plaintiffs.

**THIRTY-THIRD DEFENSE**

A specific percentage of the tortious conduct that proximately caused the alleged injury or loss to person or property is attributable to (i) each Plaintiff, (ii) other parties from whom Plaintiffs seek recovery, and (iii) persons from whom Plaintiffs do not seek recovery in this action, including, but not limited to, prescribing practitioners; individuals and entities involved in unauthorized or illicit prescription, dispensing, diversion, or use of prescription opioids; individuals and entities involved in importation, distribution, sale, or use of illegal opioids; individuals involved in procuring diverted prescription opioids or illegal drugs; delivery services; and federal, state, and local government entities. Ohio Revised Code § 2307.23.

**THIRTY-FOURTH DEFENSE**

Any verdict or judgment that might be recovered by Plaintiffs must be reduced by those amounts that have already indemnified or with reasonable certainty will indemnify Plaintiffs in whole or in part for any past or future claimed economic loss from any collateral source or any other applicable law.

**THIRTY-FIFTH DEFENSE**

If Rite Aid is found liable for Plaintiffs' alleged injuries and losses, the facts will show that Rite Aid caused fifty percent or less of the conduct that proximately caused such injuries or loss

and is liable only for its proportionate share of the damages that represent economic loss. *See* Ohio Revised Code §§ 2307.22-.23. Any recovery by Plaintiffs must be reduced pursuant to Ohio Rev. Code §§ 2315.32-35 and 2307.23 to account for the acts or omissions attributable to Plaintiffs.

**THIRTY-SIXTH DEFENSE**

The damages which Plaintiffs may be entitled to recover if liability is established are capped pursuant to Ohio Revised Code §§ 2315.18 and 2315.21.

**THIRTY-SEVENTH DEFENSE**

Any damages that Plaintiffs may recover against Defendant must be reduced to the extent that Plaintiffs are seeking damages for alleged injuries or expenses related to the same user(s) of the subject prescription medications, or damages recovered or recoverable by other actual or potential plaintiffs. Any damages that Plaintiffs may recover against Defendant must be reduced to the extent they unjustly enrich Plaintiffs.

**THIRTY-EIGHTH DEFENSE**

To the extent that Plaintiffs are alleging fraud, fraudulent concealment, or similar conduct, Plaintiffs have failed to plead fraud with sufficient particularity.

**THIRTY-NINTH DEFENSE**

Plaintiffs' claims are barred, in whole or in part, by the economic loss rule.

**FORTIETH DEFENSE**

Plaintiffs' claims are barred, in whole or in part, by the free public services doctrine and by the municipal cost recovery doctrine.

**FORTY-FIRST DEFENSE**

Plaintiffs' claims are barred, in whole or in part, by their failure to mitigate damages. Plaintiffs may have failed or refused to exercise reasonable care and diligence to avoid loss and

minimize damages and, therefore, may not recover for losses that could have been prevented by reasonable efforts on its part, or by expenditures which might reasonably have been made.

#### **FORTY-SECOND DEFENSE**

Plaintiffs' claims for public nuisance are barred, in whole or in part, because the alleged public nuisance would have impermissible extraterritorial reach and because the alleged conduct of Defendant is too remote from the alleged injury as a matter of law and due process.

#### **FORTY-THIRD DEFENSE**

Plaintiffs' claims are barred, in whole or in part, because federal agencies have exclusive or primary jurisdiction over the matters asserted in the Complaint.

#### **FORTY-FOURTH DEFENSE**

Plaintiffs' claims are preempted by federal law, including (without limitation) the federal Controlled Substances Act; the Food, Drug, and Cosmetic Act (FDCA); and conflict with the Drug Enforcement Administration's regulatory authority. Plaintiffs' claims are barred, in whole or in part, by conflict preemption as set forth in the United States Supreme Court's decisions in *PLIVA, Inc. v. Mensing*, 131 S. Ct. 2567 (2011), and *Mutual Pharm. Co. v. Bartlett*, 133 S. Ct. 2466 (2013). Plaintiffs' claims are preempted insofar as they conflict with Congress's purposes and objectives in enacting relevant federal legislation and authorizing regulations, including the Hatch-Waxman Amendments to the FDCA and implementing regulations. *See Geier v. Am. Honda Co.*, 529 U.S. 861 (2000).

#### **FORTY-FIFTH DEFENSE**

The activities of Defendant alleged in the Complaint conformed with all state and federal statutes, regulations, and industry standards based on the state of knowledge at the relevant times alleged in the Complaint.



**FORTY-SIXTH DEFENSE**

To the extent Plaintiffs assert claims that depend solely on violations of federal law, such claims are barred and should be dismissed. *See Buckman v. Plaintiffs' Legal Comm.*, 531 U.S. 341 (2001).

**FORTY-SEVENTH DEFENSE**

Plaintiffs' claims are barred, in whole or in part, by the deference that common law accords discretionary actions by the FDA under the FDCA and discretionary actions by the DEA under the Controlled Substances Act. Defendant passed all audits conducted by the DEA.

**FORTY-EIGHTH DEFENSE**

Plaintiffs' claims for nuisance are barred, in whole or in part, because they lack the statutory authority to bring a nuisance claim under Ohio law or their own applicable county or municipal codes or regulations.

**FORTY-NINTH DEFENSE**

To the extent that Plaintiffs rely on letters or other informal guidance from the DEA to establish Defendant's regulatory duties, such informal guidance cannot enlarge Defendant's regulatory duties in the absence of compliance by DEA with the requirements by the Administrative Procedure Act, 5 U.S.C. § 551 *et seq.*

**FIFTIETH DEFENSE**

Plaintiffs' common law and statutory public nuisance claims are barred, in whole or in part, because of abrogation by the Ohio Products Liability Act.

**FIFTY-FIRST DEFENSE**

Plaintiffs' claims are barred, reduced, or limited pursuant to the applicable Ohio statutory and common law regarding limitations of awards, caps on recovery, and setoffs.

**FIFTY-SECOND DEFENSE**

Plaintiffs' claims are barred, reduced, and/or limited to the extent that Defendant is entitled to a credit or setoff for any and all sums Plaintiffs has received in the way of any and all settlements.

**FIFTY-THIRD DEFENSE**

Rite Aid's liability, if any, will not result from their conduct but is solely the result of an obligation imposed by law, and thus Defendant is entitled to complete indemnity, express or implied, by other parties.

**FIFTY-FOURTH DEFENSE**

Plaintiffs' claims for punitive or exemplary damages or other civil penalties are barred, in whole or in part, by the due process protections afforded by the United States Constitution, the Excessive Fines Clause of the Eighth Amendment of the United States Constitution, the Full Faith and Credit Clause of the United States Constitution, and applicable provisions of the Constitution of this State or that of any other state whose laws may apply. Any law, statute or other authority purporting to permit the recovery of punitive damages or civil penalties in this case is unconstitutional, facially and as applied, to the extent that, without limitation, it: (1) lacks constitutionally sufficient standards to guide and restrain the jury's discretion in determining whether to award punitive damages or civil penalties and/or the amount, if any; (2) is void for vagueness in that it fails to provide adequate advance notice as to what conduct will result in punitive damages or civil penalties; (3) unconstitutionally may permit recovery of punitive damages or civil penalties based on harms to third parties, out-of-state conduct, conduct that complied with applicable law, or conduct that was not directed, or did not proximately cause harm, to Plaintiffs; (4) unconstitutionally may permit recovery of punitive damages or civil penalties in an amount that is not both reasonable and proportionate to the amount of harm, if any, to Plaintiffs and to the amount of compensatory damages, if any; (5) unconstitutionally may permit jury consideration of net worth or other financial information relating to Defendants; (6) lacks

constitutionally sufficient standards to be applied by the trial court in post-verdict review of any award of punitive damages or civil penalties; (7) lacks constitutionally sufficient standards for appellate review of any award of punitive damages or civil penalties; (8) would unconstitutionally impose a penalty, criminal in nature, without according to Defendants the same procedural protections that are accorded to criminal defendants under the constitutions of the United States, this State, and any other state whose laws may apply; and (9) otherwise fails to satisfy Supreme Court precedent, including, without limitation, *Pacific Mut. Life Ins. Co. v. Haslip*, 499 U.S. 1 (1991); *TXO Production Corp. v. Alliance Resources, Inc.*, 509 U.S. 443 (1993); *BMW of N. Am. v. Gore*, 517 U.S. 559 (1996); *State Farm Ins. Co. v. Campbell*, 538 U.S. 408 (2003); and *Philip Morris USA v. Williams*, 549 U.S. 346 (2007).

#### **FIFTY-FIFTH DEFENSE**

To the extent that Plaintiffs seek punitive, exemplary, or aggravated damages, any such damages are barred because the product at issue, and its labeling, were subject to and received pre-market approval by the FDA under 52 Stat. 1040, 21 U.S.C. § 301.

#### **FIFTY-SIXTH DEFENSE**

Rite Aid followed good faith dispensing practices and its pharmacists properly fulfilled their corresponding responsibility to review prescriptions for indications that they were not issued in the usual course of professional treatment. 21 CFR §1306.04(a). Rite Aid pharmacists did not knowingly fill any prescriptions that they knew were not legitimate.

#### **FIFTY-SEVENTH DEFENSE**

Rite Aid and its pharmacists reasonably relied upon the prescribers who issued the prescriptions and have the primary “responsibility for the proper prescribing and dispensing of controlled substances.” 21 CFR 1306.04(a).

**FIFTY-EIGHTH DEFENSE**

Rite Aid and its pharmacists reasonably relied upon the DEA which set annual national quotas for controlled substances based upon the country's legitimate medical needs and is responsible for the enforcement of the CSA.

**FIFTY-NINTH DEFENSE**

Rite Aid cannot control and is not responsible for what patients do with prescription drugs after they are dispensed by pharmacists. Patients have a duty to use the drugs properly and store them safely.

**SIXTIETH DEFENSE**

Rite Aid adopts by reference any additional applicable defense pled by any other defendants not otherwise pled herein.

WHEREFORE, Defendants Rite Aid Hdqtrs. Corp., Rite Aid of Ohio, Inc., Rite Aid of Maryland, Inc., and Eckerd Corporation respectfully requests that the claims alleged in the Complaint be dismissed in its entirety with prejudice, and that they be awarded their costs of defense, including reasonable attorneys' fees.

Dated: September 21, 2020

Respectfully submitted,

/s/ Kelly A. Moore

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*Counsel for Rite Aid of Maryland, Inc., Rite  
Aid of Ohio, Inc., Eckerd Corporation, and  
Rite Aid Hdqtrs. Corp.*

**CERTIFICATE OF SERVICE**

I certify that on September 21, 2020, the foregoing was electronically filed using the Court's CM/ECF system, and all counsel of record were served by operation of that system.

/s/ Kelly A. Moore  
Kelly A. Moore